

EXHIBIT 5

COURT OF COMMON PLEAS OF LEHIGH COUNTY, PENNSYLVANIA

CIVIL DIVISION

PPL ELECTRIC UTILITIES	:	
CORPORATION, Formerly	:	
Known as Pennsylvania	:	
Power & Light Co.	:	
	:	
- vs -	:	No. 2017-C-3755
	:	
MAW COMMUNICATIONS, INC.,	:	
FRANK T. WICZKOWSKI,	:	
PRESIDENT	:	

Transcript of Proceedings

BEFORE: HON. EDWARD D. REIBMAN, P.J.

Friday, March 23, 2018
10:00 o'clock a.m.
Courtroom No. 2 A
Lehigh County Courthouse
Allentown, Pennsylvania

APPEARANCES:

JOSEPH S. D'AMICO, JR., ESQUIRE
-- For the Plaintiffs

ERIC E. WINTER, ESQUIRE
-- For the Defendants

NEIL ALBERT, ESQUIRE.
-- For Lancaster City

1 City of Lancaster during 2016 or 2017?

2 A Yes, sir.

3 Q Would you be able to identify it by pole number?

4 A By memory, pole number?

5 Q No, no, by -- through the information on the --

6 A Oh, yeah, yeah.

7 Q -- the M drive or N drive that you mentioned?

8 A Yes, yes. Pole numbers were listed.

9 Q And how quickly could that information be
10 retrieved if things had remained the same since you
11 were there in October of 2017?

12 A Minutes.

13 Q Thank you.

14 A You're welcome.

15 MR. D'AMICO: That's all I have of Mr.
16 Staboleski.

17 THE COURT: Cross-examination?

18 MR. WINTER: Okay.

19 CROSS-EXAMINATION

20 BY MR. WINTER:

21 Q Mr. Staboleski, isn't it true that in August of
22 2017, there was an incident involving you misusing the
23 company credit card?

24 A Does that have anything to do with this case?

25 MR. WINTER: Yes.

1 THE COURT: I will decide that. If there is
2 no objection, you may proceed.

3 THE WITNESS: Yes.

4 BY MR. WINTER:

5 Q Okay, and at that point, weren't you given a
6 warning, and MAW said that they would continue to try
7 and work with you?

8 A Yes.

9 Q And in September of '17, wasn't there another
10 incident involving you misusing the company credit
11 card?

12 A Yes.

13 Q Okay, and didn't the misuse of the company
14 credit card charges total more than \$6,000?

15 A I'm not sure the extent of the totals.

16 Q Is it possible it exceeded more than \$6,000?

17 A I don't have that information, sir. I do not
18 know.

19 Q And did this involve you using the company
20 credit card to do things like purchase gym memberships,
21 and go out to restaurants?

22 A Yes.

23 Q Yes. In October of 2017, was there an incident
24 in which you planted an electronic device on a
25 co-worker's vehicle in an attempt to track her?

1 A **Yes.**

2 Q And again, this was not for any legitimate

3 purpose. This was because you wanted to see where this

4 female was going; correct?

5 A **Yes.**

6 Q Okay, and at that point, did MAW confront you

7 about this?

8 A **No.**

9 Q Okay. I'm sorry, let me put it this way. Was

10 there a point in early October of 2017 in which you

11 sent a text message stating that you were going to

12 resign from MAW after all of this information arose?

13 A **Yes. I said I was going to quit.**

14 Q Okay. All right, and at that point, didn't Mr.

15 Wiczkowski indicate he was accepting your resignation?

16 A **Yes.**

17 Q And shortly after that, didn't you send another

18 message to Mr. Wiczkowski demanding your job back?

19 A **I asked if there was anything that we could do**

20 **to come to a mutual ground and settle everything, yes.**

21 Q Did you state something to the effect of -- to

22 other people -- that if MAW did not give you your job

23 back, you intended to burn them to the ground?

24 A **I never said burn anybody to the ground.**

25 Q Did you say something to the effect that you

1 intended to ruin MAW if they would not give you your
2 job back?

3 A I clearly stated that I would assist in the
4 information to PP&L, of what was really going out --
5 going on out in the field, and causing hazards, yes.

6 Q Okay, and so at that point when MAW refused to
7 give you your job back, that's when you went to PP&L;
8 right?

9 A I contacted PP&L beforehand, sir.

10 Q All right, and -- Well, you contacted PP&L
11 before you demanded your job back?

12 A Yes, sir.

13 Q Okay. Why would you demand your job back after
14 contacting PP&L?

15 A Still gotta work.

16 Q Okay, and you contacted the Pennsylvania Public
17 Utility Commission as well; correct?

18 A I did not.

19 Q Okay. Did you contact the FCC?

20 A I did not.

21 Q Did you contact any other entities?

22 A No, sir.

23 Q Okay. Did you state to anyone that you wanted
24 to go and set up your own competing company to MAW?

25 A Not a competing company to MAW, no.